

PATENT
Customer No. 22,852
Attorney Docket No. 03715.0149-00

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)
Pascal CREPEL *et al.*) Group Art Unit: 1781
Application No.: 10/544,218)
Filed: June 12, 2006) Examiner: Hamid R. Badr
For: YOGURT WITH A TWO-PHASE)
STRUCTURE AND METHOD) Confirmation No.: 9486
FOR PRODUCTION THEREOF)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's decision mailed January 5, 2010.

The items checked below are appropriate:

1. Applicants petition for a month extension of time, based on the mailing date of the outstanding Office Action. The petition fee of \$ is enclosed.
2. Applicants previously filed a petition for extension of time extending the period for response to the outstanding Office Action to May 5, 2010. Applicants now petition for an additional extension of time to extend the period for response to July 5, 2010. The petition fee of \$980.00 is enclosed.
3. The Notice of Appeal Fee of \$540.00 is enclosed.
4. The Notice of Appeal Fee was previously paid in this application on, but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.

5. A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 29, 2010

By: 

Maryann T. Puglielli
Reg. No. 52,138
(202) 408-6054